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OFFICE OF THE CORPORATION COUNSEL

STEPHANIE A. MINER, MAYOR

January 19, 2016

Sent via CM/ECF

Honorable Thérèse Wiley Dancks
U.S. District Court
100 S. Clinton Street
Syracuse, New York 13261

Re: James Deferio v. City of Syracuse, et al. (5:16-cv-00361-LEK-TWD)

Dear Judge Dancks:

Defendants respectfully submit this letter, per the Court's directive of December 20, 2016, to provide the Court with a status report of the unsealing motion pending Syracuse City Court.

On January 5, 2017, Defendants filed the original copy of the Notice of Motion to Unseal Criminal Records and supporting papers (including this Court's Confidentiality Order) with Syracuse City Court Clerk, and also on the same date served by mail a copy of them upon the subject's attorney and both Counselors for Plaintiff. The City chose a return date—on submission only—two (2) weeks out from the filing of the motion, that is, today, January 19, 2017, to allow proper time for any opposition to the City's motion. Upon information and belief, the motion has been unopposed, as the City has not been in receipt at this time of opposition papers.

The presiding judge in the matter, who will review the City's motion, is the Honorable Mary Anne Doherty. Yesterday (January 18, 2017) I spoke with Frances Grimaldi, Esq., Judge Doherty's clerk, who informed me that Judge Doherty's chambers just recently received from the Syracuse City Court Clerk's office the City's Motion in the matter. Ms. Grimaldi indicated that Judge Doherty is out of the office for the remainder of the week, and will only be in the office Monday and Tuesday next week. She informed me that it was her intention to bring the City's motion to her attention prior to her absence on Wednesday (January 25, 2017).

Ms. Grimaldi was unable to provide a timeframe for the issuance of any potential Order to Unseal in the matter under these circumstances. Therefore, the City offers to provide a status update as to the Motion to Unseal on or before February 2, 2017, which is two (2) weeks from the return date.

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We thank you for your attention and consideration in this matter.

Respectfully,

/s

Todd M. Long, Esq.
Assistant Corporation Counsel
Federal Bar Roll No. 519301

TML/

CC: Mark A. Mangini, Esq. (*via CM/ECF filing*)
Nathan W. Kellum, Esq. (*via CM/ECF filing*)
John A. Sickinger, Esq. (*via CM/ECF filing*)